

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT

In Re:

Kevin Franklin  
Heather Franklin

Debtors

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Case No.: 12-62206  
Chapter: 13  
Honorable: Steven Rhodes

**DEBTORS' FIRST PROPOSED PLAN MODIFICATION**

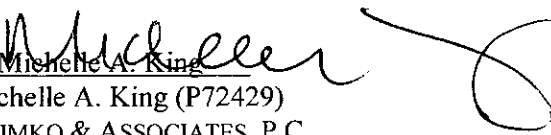
Debtors, by and through their attorneys, CHIMKO & ASSOCIATES, P.C. in support of their First Proposed Plan Modification, states as follows:

1. Debtors' case was filed on October 3, 2012, and confirmed on March 23, 2013.
2. Debtors missed plan payments which caused the Chapter 13 Trustee to file a Motion to Dismiss their case. Debtors thought that their ACH bank withdrawal would be started, but did not start due to the fact that debtors did not send in the appropriate paperwork to get that started. Debtors have now remitted all paperwork to get that initiated. Debtors understand that they are responsible for the missed plan payments, and intend to cure that delinquency. The current delinquency in plan payments is \$7,283.27.
3. Debtors received a 2012 income tax refund in the amount of \$623.00, yet only remitted an amount of \$450.00 to the Trustee. Debtors intend to remit the remaining \$173.00.
4. Debtors' missed plan payments have caused their plan to be underfunded at the current plan length of 40 months. Due to the fact that debtors wish to save their home which is being paid by the Trustee, debtors will seek to increase the length of their plan so that they can afford their monthly plan payments.
5. For the above reasons, debtors propose to decrease their plan payments to \$130.00 bi-weekly and \$1,126.00 monthly (please refer to recently filed Schedules I and J).
6. For the above reasons, debtors propose to extend the length of their plan to 60 months.
7. For the above reasons, debtors propose to extend the cure payment on their class four mortgage arrearages to 60 months.
8. For the above reasons, debtors propose to cure a delinquency in the amount of \$7,283.27 by remitting additional funds throughout the remainder of their plan at the rate of \$137.42 monthly.
9. The proposed plan modification will have no impact on Classes One, Two, Three, , Five, Six, or Seven. Class Four will be impacted by extending the time it takes debtors to cure the pre-filing arrearages.

WHEREFORE, Debtors respectfully requests this honorable court grant their First Proposed Plan

Modification.

Dated: October 4, 2013

  
/s/ Michelle A. King  
Michelle A. King (P72429)  
CHIMKO & ASSOCIATES, P.C.  
26212 Woodward Avenue  
Royal Oak, MI 48067  
(248) 284-1661  
dmengel@chimkolaw.com

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT

In Re:

Kevin Franklin  
Heather Franklin

Address: 2457 Third Street, Trenton, MI 48183

Case No.: 12-62206

Chapter: 13

Honorable: Steven Rhodes

SSN: xxx-xx-4244  
xxx-xx-4726

Debtors

**NOTICE OF DEADLINE TO OBJECT TO PROPOSED CHAPTER 13 PLAN MODIFICATION**

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

The deadline to file an objection to the attached proposed Chapter 13 plan modification is **21 days after service.** Any objection must be filed with Court at:

United States Bankruptcy Court, 211 West Fort Street, Detroit, MI 48226

Your objection must be received by the Court on or before the date stated above. All attorneys are required to file pleadings electronically.

Objections to the attached proposed plan modification must also be served on the following:

Krispen Carroll, Chapter 13 Trustee, 719 Griswold, 1100 Dime Building, Detroit, MI 48226  
CHIMKO & ASSOCIATES, P.C. 26212 Woodward Avenue, Royal Oak, MI 48067

If no timely objection is filed, the proponent of the plan modification may file a certificate of no objection and the modified plan will then become effective.

If a timely objection is filed and served, the clerk will set the matter for hearing and give notice of the hearing to the Debtor, the proponent of the plan modification, the Trustee and any objecting parties. In that event, the plan modification will become effective when the Court enters an order overruling or resolving all objections.

**If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.**

Dated: October 4, 2013

  
/s/ Michelle A. King  
Michelle A. King (P72429)  
CHIMKO & ASSOCIATES, P.C.  
26212 Woodward Avenue  
Royal Oak, MI 48067  
(248) 284-1661  
[dmengel@chimkolaw.com](mailto:dmengel@chimkolaw.com)



13Network

Enter Case Number, Name, Social Security Number, or @1st Address Line: 1262206

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WEIK &amp; ASSOCIATES

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Recently Accessed Cases 12-622D6-SWR K

12-62206-SWR KEVIN JAMES FRANKLIN (xxx-xx-4244) 2457 THIRD STREET • • TRENTON • MI • 48183 \$1,449.61 MO/	Bar Date(s): 2/14/2013 (has passe
HEATHER MARIE FRANKLIN (xxx-xx-4726) 2457 THIRD STREET • • TRENTON • MI • 48183 \$130.00 BW/	Confirmed: 3/23/2013
Print Inquiry Trustee: Krispen S. Carroll Attorney: CHIMKO & ASSOCIATES	Case Status: OPEN/ACTIVE

The data on these pages has not been audited and is provided for general information only.

Line	Name	Claimed Amount	Mortgage Due	Coll / Value	Interest Rate	Monthly Payment	To Be Paid	Mo
<b>7 Month(s) since Confirmation UP = \$0.00 TPI = \$4,670.00 BOH = \$260.00</b>								
<b>ATTORNEY FEE</b>								
1	CHIMKO & ASSOCIATES	\$800.00		\$800.00			\$800.00	
2	ADDED CREDITOR							
<b>OTHER ATTORNEY FEES</b>								
3	ADDED CREDITOR							
<b>OTHER PROFESSIONAL FEES</b>								
4	ADDED CREDITOR							
<b>DEBTOR REFUND</b>								
5	KEVIN JAMES FRANKLIN							
<b>ARREARAGE - MORTGAGE/LAND CONTRACT</b>								
6	BANK OF AMERICA	\$1,165.88		\$1,165.88		\$22.00	\$1,165.88	52
7	ADDED CREDITOR							
<b>ARREARAGE - VEHICLE</b>								
8	ADDED CREDITOR							
<b>ARREARAGE - OTHER</b>								
9	ADDED CREDITOR							
<b>CONT'G DEBT (USE IN PLAN CALC)</b>								
10	ADDED CREDITOR							
11	ADDED CREDITOR							
<b>CURR MTG</b>								
12	BANK OF AMERICA					\$1,080.36	\$57,259.08	
13	BANK OF AMERICA	\$5,873.02		\$5,873.02			\$5,873.02	
14	ADDED CREDITOR							
15	ADDED CREDITOR							
<b>EXEC CONTRACT - VEHICLE</b>								
16	ADDED CREDITOR							
<b>EXEC CONTRACT - NON-VEHICLE</b>								
17	ADDED CREDITOR							
<b>POST-PET/PRE-CONF MTG PYMTS</b>								
18	ADDED CREDITOR							
19	ADDED CREDITOR							
<b>PRIORITY</b>								
20	INTERNAL REVENUE SERVICE	\$5,623.37		\$5,623.37			\$5,623.37	
21	ADDED CREDITOR							
22	ADDED CREDITOR							
<b>DSO CREDITOR - ARREARAGE</b>								
23	ADDED CREDITOR							
24	ADDED CREDITOR							
<b>DSO CREDITOR - CONTINUING</b>								
25	ADDED CREDITOR							
26	ADDED CREDITOR							
<b>PROP TAX</b>								
27	ADDED CREDITOR							
<b>SECURED</b>								
28	ADDED CREDITOR							
29	ADDED CREDITOR							
<b>AUTOMOBILE</b>								
30	ADDED CREDITOR							
<b>EQUAL MONTHLY PAYMENT CREDITOR - VEHICLE</b>								
31	ADDED CREDITOR							
32	ADDED CREDITOR							
<b>EQUAL MONTHLY PAYMENT CREDITOR - NON-VEHICLE</b>								
33	ADDED CREDITOR							
34	ADDED CREDITOR							
<b>Summary</b>								
35	All Unsecured Creditors	Total Unsecured		Percent Allowed		Amount Allowed		
		52215.34		D				

Change Line# 0

OK

Plan Terms 53

Calc

Unsecured % 0

Calc

Due to Creditors: \$1,166.52 \$74,837.41

In from Debtor: \$1,408.10 \$74,866.51

Restart

Trustee's % 5.5

Lump Sum \$ 260.00

Delete Line 0

OK

## Debtor 1 Pay Schedules

Who's Paying	Amount	Schedule	Upd/Calc
KEVIN JAMES FRA	\$1,126.00	MONTHLY	\$ ?
KEVIN JAMES FRA	\$0.00	MONTHLY	\$ ?

## Debtor 2 Pay Schedules

Who's Paying	Amount	Schedule	Upd/Calc
HOME DEPOT	\$130.00	BI-WEEKLY	\$ ?
HEATHER MARIE F	\$0.00	MONTHLY	\$ ?

Krispen Carroll - Detroit, MI

Your Chapter 13 Information Management System

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UNITED STATES BANKRUPTCY COURT  
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SOUTHERN DIVISION – DETROIT

In Re:

Kevin Franklin  
Heather Franklin

Debtors

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Case No.: 12-62206  
Chapter: 13  
Honorable: Steven Rhodes

**PROOF OF SERVICE**

*The undersigned hereby certifies that a copy of the following:*

**First Chapter 13 Post-Confirmation Plan Modification**

*was electronically served on the 4<sup>th</sup> day of October 2013, upon:*

Krispen Carroll

*was served via First Class Mail, pre-paid postage, on the 4<sup>th</sup> day of October 2013, addressed as follows:*

All parties on the attached matrix.

  
/s/ Dawn M. Engel

**CHIMKO & ASSOCIATES, P.C.**

Dawn M. Engel, Legal Assistant  
26212 Woodward Avenue  
Royal Oak, MI 48067  
(248) 284-1661  
[dmengel@chimkolaw.com](mailto:dmengel@chimkolaw.com)

Label Matrix for local noticing  
0645-2  
Case 12-62206-swr  
Eastern District of Michigan  
Detroit  
Fri Oct 4 12:45:31 EDT 2013

Ascendant MDX, Inc.  
P.O. Box 674425  
Detroit, MI 48267-4425

Bill Me Later  
P.O. Box 105658  
Atlanta, GA 30348-5658

Convergent Outsourcing, Inc.  
10750 Hammerly Blvd.  
#200  
Houston, TX 77043-2317

Downriver Obstetrics and Gynecology  
1651 Kingsway Court  
Suite A  
Trenton, MI 48183-1959

Genpact Services LLC  
P.O. Box 1969  
Southgate, MI 48195-0969

Henry Ford Wyandotte Hospital  
2333 Biddle Avenue  
Wyandotte, MI 48192-4668

Henry Ford Pathology  
P.O. Box 673835  
Detroit, MI 48267-3835

IVF Michigan / Ann Arbor Reproductive  
3145 W. Clark Road  
Suite 301  
Ypsilanti, MI 48197-1120

Jonathan W. Ayers MD  
3145 Clark Road  
Suite 301  
Ypsilanti, MI 48197-1120

AFNI, Inc.  
1310 Martin Luther King Drive  
P.O. Box 3517  
Bloomington, IL 61702-3517

Bank of America Home Loans  
P.O. Box 5170  
Simi Valley, CA 93062-5170

Bill Me Later c/o Ken Mudrick  
101 Schilling Rd, Suite 40  
Hunt Valley MD 21031-1104

Credit Services of Michigan, Inc.  
P.O. Box 6428  
Saginaw, MI 48608-6428

Downriver Pediatric Associates  
23050 West Road  
Suite #110  
Brownstown Township, MI 48183-1470

HFC  
Attn: Research  
P.O. Box 1231  
Brandon, FL 33509-1231

Henry Ford Wyandotte Hospital  
P.O. Box 1799  
Colorado Springs, CO 80901-1799

Henry Ford Wyandotte Hosp  
c/o Creditors Bankruptcy Service  
P.O. Box 740933  
Dallas, TX 75374-0933

InSolve Recovery, LLC, c/o Capital Recovery  
Dept 3203  
PO BOX 123203  
DALLAS, TX 75312-3203

Karen Samples DO  
3290 West Road  
Trenton, MI 48183-2322

AT & T Mobility  
5020 Ash Grove Road  
Springfield, IL 62711-6329

Bank of America, N.A.  
P.O. Box 660933  
Dallas, TX 75266-0933

CBCS  
P.O. Box 2890  
Columbus, OH 43216-2890

Danbury Mint  
47 Richards Ave  
Norwalk, CT 06857-0001

GE Money Bank - Lowe's  
Attn: Bankruptcy Department  
P.O. Box 103104  
Roswell, GA 30076-9104

HOUSEHOLD FINANCE CORPORATION III  
636 GRAND REGENCY BLVD  
BRANDON, FL 33510-3942

Henry Ford Health System  
Attn: Customer Service  
P.O. Box 339  
Troy, MI 48099-0339

Henry Ford Wyandotte Hospital CRNA  
2333 Biddle  
Wyandotte, MI 48192-4668

Internal Revenue Service  
Department of Treasury  
Centralized Insolvency Operation  
P.O. Box 7346  
Philadelphia, PA 19101-7346

MBI, Inc.  
47 Richards Ave  
Norwalk, CT 06857-0001

Medical Financial Solutions  
P.O. Box 50868  
Kalamazoo, MI 49005-0868

Metropolitan Anesthesia Consultant  
P.O. Box 67000  
Depat. 165501  
Detroit, MI 48267-1655

Oakwood Hospital  
18101 Oakwood Blvd.  
Dearborn, MI 48124-4095

Paypal Inc.  
%Convergent Outsourcing, Inc.  
10750 Hammerly Blvd.  
#200  
Houston, TX 77043-2317

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Quantum3 Group LLC as agent for  
MOMA Funding LLC  
PO Box 788  
Kirkland, WA 98083-0788

Receivables Performance Management, LLC  
1930 220th St. SE  
Suite 101  
Bothell, WA 98021-8410

Sprint PCS  
P.O. Box 8077  
London, KY 40742-8077

TD Auto Finance LLC  
4285 Genesee Street  
Buffalo, NY 14225-1943

The Detroit News  
615 W. Lafayette  
Detroit, MI 48226-3197

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Attn. Civil Division  
211 W. Fort St.  
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Detroit, MI 48226-3269

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